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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-32587-2025 (O&M)

Date of decision: 09.07.2025

Gagandeep Singh @ Mani**...Petitioner****Versus****U.T., Chandigarh****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Arjun Dosanj, Advocate and
Mr. Parvez Chaudhary, Advocate
for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case bearing FIR No. 68 dated 24.05.2024, registered under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station West Sector 11, Chandigarh.

2. The petitioner along with co-accused Rajdeep Singh was apprehended by a police party headed by SI Imroz Man on 24.05.2024 and recovery of 952 grams of *Charas* was effected from the petitioner, whereas recovery of 968 grams of *Charas* was effected from co-accused Rajdeep Singh. Investigation stands completed and challan has been filed. Trial is going on. The petitioner is in custody since the date of his arrest.

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3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. The quantity of the contraband allegedly recovered from the petitioner does not fall under commercial quantity. Investigation has since been completed and *challan* has been presented. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Co-accused Rajdeep Singh has already been granted concession of regular bail by this Court, vide order dated 19.05.2025 passed in CRM-M-18128-2025. On the grounds of parity, the petitioner too deserves the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Custody certificate of the petitioner has been filed by the respondent-U.T., Chandigarh. Learned Public Prosecutor, Chandigarh has opposed the prayer of the petitioner on the ground that he is involved in one more case of similar nature.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. Admittedly, the quantity of the contraband recovered from the petitioner does not fall within the ambit of commercial quantity and co-accused Rajdeep Singh, whose case is at par with that of the petitioner, has already been granted concession of bail by this Court. The petitioner is in custody since 24.05.2024. Investigation has since been completed and *challan* has been filed. Conclusion of trial is likely to take time. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the

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present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

09.07.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>